

REQUIRES MONITORING  
OR STAFF ACTION \_\_\_\_\_

### COMMISSION DIRECTIVE

ADMINISTRATIVE MATTERS \_\_\_\_\_

DATE January 26, 2005

MOTOR CARRIER MATTERS \_\_\_\_\_

DOCKET NO. 2004-267-EUTILITIES MATTERS XXXORDER NO. 2005-51

#### SUBJECT:

DOCKET NO. 2004-267-E – Columbia Energy, LLC, Complainant, vs. South Carolina Electric & Gas Company, Defendant.

Discuss with the Commission a receipt of a Motion for Stay and Reply to Columbia Energy LLC's Memorandum in Opposition to SCE&G's Motion to Dismiss filed by Willoughby & Hoefer, P.A.

#### COMMISSION ACTION:

Granted the Motion for Stay made by South Carolina Electric & Gas in Docket No. 2004-267-E. The Order from the Circuit Court remanding various matters to the Commission has been appealed to the South Carolina Court of Appeals. Under Appellate Court Rule 225, an automatic stay of the Order and any action required by it goes into effect upon appeal, unless the matter comes under certain exceptions as outlined by the Rule. In its response to Motion for Stay Columbia Energy has cited no such exceptions that apply in this case. Therefore, SCE&G's Motion for Stay should be granted to recognize the automatic stay required by the Appellate Court rule, until such time as the appeal is resolved.

APPROVED \_\_\_\_\_

PRESIDING Mitchell

APPROVED STC 30 DAYS \_\_\_\_\_

CLYBURN Yes

ACCEPTED FOR FILING \_\_\_\_\_

FLEMING Yes

DENIED \_\_\_\_\_

HAMILTON Absent

AMENDED \_\_\_\_\_

HOWARD Yes

TRANSFERRED \_\_\_\_\_

MITCHELL Yes

SUSPENDED \_\_\_\_\_

MOSELEY Yes

CANCELED \_\_\_\_\_

WRIGHT Motion

SET FOR HEARING \_\_\_\_\_

REGULAR SESSION X

ADVISED \_\_\_\_\_

SPECIAL SESSION \_\_\_\_\_

CARRIED OVER \_\_\_\_\_

TIME OF SESSION 2:30PMRECORDED BY P. D. Riley